

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE DIET DRUGS)	
(PHENTERMINE/FENFLURAMINE/)	MDL No. 1203
DEXFENFLURAMINE) PRODUCTS)	
LIABILITY LITIGATION)	
<hr/>		
SHEILA BROWN, <i>et al.</i> v. AMERICAN)	CIVIL ACTION No. 99-20593
HOME PRODUCTS CORPORATION)	
This document relates to:)	
LINDA HARMON, <i>et al.</i> v. WYETH-)	MDL Case No. 02-20082
AYERST PHARMACEUTICALS, INC., <i>et</i>)	
<i>al.</i> ;)	
DUWANDA ROBBINS, <i>et al.</i> v. WYETH-)	MDL Case No. 02-20081
AYERST PHARMACEUTICALS, INC., <i>et</i>)	
<i>al.</i> ;)	
JANICE BINION, <i>et al.</i> v. WYETH-)	MDL Case No. 02-20119
AYERST PHARMACEUTICALS, INC., <i>et</i>)	
<i>al.</i> ;)	
LILLIAN CHANDLER, <i>et al.</i> v. WYETH-)	MDL Case No. 02-20120
AYERST PHARMACEUTICALS, INC., <i>et</i>)	
<i>al.</i> ;)	
PATRICIA MOSLEY, <i>et al.</i> v. WYETH-)	MDL Case No. 02-20122
AYERST PHARMACEUTICALS, INC., <i>et</i>)	
<i>al.</i> ;)	
MARY F. SANDERS, <i>et al.</i> v. WYETH-)	MDL Case No. 02-20121
AYERST PHARMACEUTICALS, INC., <i>et</i>)	
<i>al.</i> ;)	
- and -)	
BRENDA STALLINGS, <i>et al.</i> v. WYETH-)	MDL Case No. 02-20118
AYERST PHARMACEUTICALS, INC., <i>et</i>)	
<i>al.</i>)	
<hr/>		

PRETRIAL ORDER NO. _____

AND NOW, this ____ day of _____, 2003, it is hereby, ORDERED, ADJUDGED and DECREED, pursuant to Federal Rule of Civil Procedure 41(a)(2), that the claims of the following plaintiffs: William Peyton Smith, Stephanie Owens, Debbie Turney-Miller, Lori Harris, Gail Lynn Hudson Douglas, Keith Hachtel, Tracy Adams, Frances P. McClure, Lizette Purnell, Beverly J. Fleming, Anne S. Ellis, Garry Joe Girdley, Beverly Toliver, Jerry Smith, Dorothy Owens, Crystal Franks, Francelia Williams, Windia Jones, Barbara Chalmers, Diane Thompson, Valenta Allen-Williams, Charles Stewart, Debra Hill, Doris McSwine, Philip Cohen, Debbie Girdley, Stephen Breimer, Lasonya Thomas, Marcia Woods, Therial Taylor, Sharon Holland-Sims, Traci Johnson, Kay Cunningham, Peggine Butler, Sandra Beaver, Harry Beaver, Amanda Beaver, Ellouise Evans, Jo Ann Mathes, Patricia Harwell, John Pate, Senatra Irby, Jacqueline Mister, Edsell Williford, Ramona Johnson, Karen Washington-Hackman, Marsha Wright, Valerie Givens-Rowan, Sharon Ballinger, Harriet Stewart, Tammy Henderson, Richard Eifling, Melissa Milano, Lisa Gross, Elayna Cooper, Donna Morgan, Bruce McMillan, Johnie Brown, Jacalyn Jones, and Teretha Williams are hereby dismissed without prejudice as against all defendants for failure to assert jurisdiction in Mississippi, with each party to bear its own costs and counsel fees.

APPROVED AND SO ORDERED:

Harvey S. Bartle, III, U.S.D.J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE DIET DRUGS
(PHENTERMINE/FENFLURAMINE/
DEXFENFLURAMINE) PRODUCTS
LIABILITY LITIGATION

)
) MDL No. 1203
)
)

SHEILA BROWN, *et al.* v. AMERICAN
HOME PRODUCTS CORPORATION

) CIVIL ACTION No. 99-20593
)
)

This document relates to:

)
) LINDA HARMON, *et al.* v. WYETH-
AYERST PHARMACEUTICALS, INC., *et*
al.;

) MDL Case No. 02-20082
)
)

)
) DUWANDA ROBBINS, *et al.* v. WYETH-
AYERST PHARMACEUTICALS, INC., *et*
al.;

) MDL Case No. 02-20081
)
)

)
) JANICE BINION, *et al.* v. WYETH-
AYERST PHARMACEUTICALS, INC., *et*
al.;

) MDL Case No. 02-20119
)
)

)
) LILLIAN CHANDLER, *et al.* v. WYETH-
AYERST PHARMACEUTICALS, INC., *et*
al.;

) MDL Case No. 02-20120
)
)

)
) PATRICIA MOSLEY, *et al.* v. WYETH-
AYERST PHARMACEUTICALS, INC., *et*
al.;

) MDL Case No. 02-20122
)
)

)
) MARY F. SANDERS, *et al.* v. WYETH-
AYERST PHARMACEUTICALS, INC., *et*
al.;

) MDL Case No. 02-20121
)
)

- and -

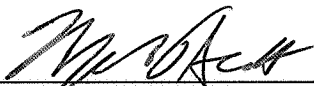
)
) BRENDA STALLINGS, *et al.* v. WYETH-
AYERST PHARMACEUTICALS, INC., *et*
al.

) MDL Case No. 02-20118
)
)

WYETH'S CROSS-MOTION TO DISMISS THE CLAIMS OF THE NON-
MISSISSIPPI RESIDENTS

For the reasons set forth in Wyeth's Memorandum in Support of Its Cross-Motion to Dismiss the Non-Mississippi Residents, defendant Wyeth respectfully moves this Court for an order in the form of the Proposed Order attached hereto.

Respectfully submitted,



Peter L. Zimroth
Anand Agneshwar
Dorothy N. Giobbe
ARNOLD & PORTER
399 Park Avenue
New York, NY 10022
(212) 715-1000

Robert D. Rosenbaum
ARNOLD & PORTER
555 Twelfth Street, NW
Washington, DC 20004-1206
(202)942-5000

William M. Gage
BUTLER, SNOW, O'MARA, STEVENS &
CANNADA, PLLC
AmSouth Plaza
210 East Capitol Street
P.O. Box 22567
Jackson, MS 39201
(601) 948-5711

Michael T. Scott
Paul B. Kerrigan
REED SMITH LLP
2500 One Liberty Place
Philadelphia, PA 19103
(215) 851-8248

Attorneys for Defendant Wyeth

Dated: December 5, 2003

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of the Memorandum of Authorities in Support of the Response of Wyeth to Plaintiffs' Motion to Remand, Appendix of Exhibits (Vol. I-II), and Wyeth's Cross-Motion to Dismiss the Claims of the Non-Mississippi Residents in the *Linda Harmon, Duwanda Robbins, Janice Binion, Lillian Chandler, Patricia Mosley, Mary Sanders, and Brenda Stallings* actions were served this 5th day of December 2003 by UPS Overnight Delivery upon counsel for plaintiffs in the foregoing actions addressed as follows:

Brian A. Clark, Esquire
Page, Kruger & Holland, P.A.
10 Canebrake Boulevard
Suite 200
Jackson, MS 39232
(Attorney for Plaintiffs)

Wilbur O. Colum, Esquire
The Colum Law Firm
406 Third Avenue
Columbus, MS 39703
(Attorney for Plaintiffs)

and by U.S. first-class mail, postage prepaid, upon all other counsel of record in the foregoing actions and all counsel required to be served by Pretrial Order No. 19.



Michael T. Scott

Date: December 5, 2003